

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF WESTFORD
WARRANT**

Middlesex, ss.

To the Constable of the Town of Westford, in said County,

GREETINGS:

You are required in the name of the Commonwealth aforesaid, to notify and warn all inhabitants of said Town qualified to vote in elections, and also in Town affairs, at their several polling places, viz:

Precinct 1	Abbot School
Precinct 2	Blanchard Middle School
Precinct 3	Abbot School
Precinct 4	Robinson School
Precinct 5	Stony Brook Middle School
Precinct 6	Rita Edwards Miller School

Tuesday, May 1, 2007

Being the first Tuesday in said month, at 7:00 o'clock in the forenoon, for the following purposes:

To bring in their votes for the following officers:

FOR FIVE YEARS

One member of the Planning Board
One member of the Housing Authority

FOR THREE YEARS

Two members of the Board of Health
Two members of the Board of Selectmen
Two members of the Library Trustees
Two members of the School Committee

The polls will be open from 7:00 AM to 8:00 PM;

And to meet at the Abbot School Gymnasium at Depot Street on the following date:

SATURDAY, MAY 5, 2007

At 10:00 o'clock in the forenoon, then and there to act upon the following Articles, Viz:

BOS Chairman _____
(Initial)

REPORTS

ARTICLE 1: Acceptance of Town Reports

Town Manager

To hear the Reports of Town Officers, Boards and Committees for the calendar year 2006;

Or act in relation thereto.

FINANCIAL (FY07)

ARTICLE 2: Fiscal Year 2007 Supplemental Appropriations

Town Manager

To see if the Town will vote to appropriate various sums in order to supplement operating budgets for the Fiscal Year ending June 30, 2007;

Or act in relation thereto.

ARTICLE 3: Fiscal Year 2007 Budget Transfers

Town Manager

To see if the Town will vote to transfer various sums between and among various accounts for the Fiscal Year ending June 30, 2007;

Or act in relation thereto.

ARTICLE 4: Unpaid Bills from Previous Fiscal Year(s)

Town Manager

To see if the Town will vote to appropriate the sum of \$866.00 (EIGHT HUNDRED SIXTY SIX DOLLARS) to pay for an unpaid bill of a prior fiscal year for the Police Department in accordance with the provisions of MGL Chapter 44, Section 64;

Or act in relation thereto.

FINANCIAL-Fiscal Year 2008

ARTICLE 5: Amendments to the Wage and Classification Plan

Town Manager

To see if the Town will vote to amend the Pay Classification Plan for non-unionized municipal employees, effective July 1, 2007;

Or act in relation thereto.

ARTICLE 6: Fiscal Year 2008 Operating Budget

Town Manager

To see if the Town will vote to appropriate a sum of money by taxation, by transfer from available funds, by borrowing, or any combination thereof, for the operation and maintenance of Town Departments for the Fiscal Year July 1, 2007 through June 30, 2008, and that such sums be expended for such purposes under the direction of the respective Town Officers, Boards and Committees;

Or act in relation thereto.

ARTICLE 7: Property Tax Exemption Increase by 100% for the Blind, Elderly and for Disabled Veterans *Board of Assessors*

To see if the Town will vote to accept the provisions of Chapter 73, Section 4 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, by providing for additional property exemptions for qualified residents who may be blind, elderly, surviving spouses or minors, or who are disabled veterans, and to continue the present percentage increase of 100%;

Or act in relation thereto.

ARTICLE 8: Revolving Funds *Town Manager*

To see if the Town will vote to authorize revolving funds for the Fiscal Year July 1, 2007 - June 30, 2008, under the provisions of MGL Chapter 44, Section 53 E ½ for the following:

Council on Aging-Adult Supportive Day Care Center
Recycling Commission
Recreation Commission-Programs
Recreation Commission-Field Maintenance
Town Manager-Westford Partnership for Children
School Department-Parking Fees
School Department-Bus Fees;

Or act in relation thereto.

ARTICLE 9: Highway Department Chapter 90 Funds *Town Manager*

To see if the Town will vote to appropriate the sum of \$655,346 (SIX HUNDRED FIFTY FIVE THOUSAND, THREE HUNDRED AND FORTY SIX DOLLARS) from the proceeds due to the Town under the provisions of MGL Chapter 90;

Or act in relation thereto.

ARTICLE 10: Street Betterments - Pond Road *Board of Selectmen*

To see if the Town will vote to accept as and for a Town way, Pond Road (from Dunstable Road to the dead end : a distance of approximately 600 feet), as laid out by the Board of Selectmen and as shown by their report and plan duly filed with the Town Clerk; to raise and appropriate a sum of money for the improvement of said way; to authorize the assessment of betterments against the owners of abutting estates for said improvements; to determine how any such appropriation shall be raised; whether by taxation by borrowing, or otherwise;

Or act in relation thereto.

ARTICLE 11: Capital Requests/Various Departments *Town Manager*

To see if the Town will vote to appropriate the sum of \$1,692,000 (ONE MILLION SIX HUNDRED NINETY TWO THOUSAND DOLLARS) by taxation, by transfer from

available funds, by borrowing, or any combination thereof, to provide for the following capital requests:

<i>DEPARTMENT</i>	<i>AMOUNT</i>	<i>PURPOSE</i>
Town Manager	\$25,000	Department of Public Works study and any other related costs
Technology	\$401,700	Hardware, software, maintenance, and any other related costs
Town Clerk	\$5,500	Microfilming/preservation of town records, purchase of Thermohygrometer, and any other related costs
Town Hall	\$50,000	Feasibility study for the renovation of Town Hall and any other related costs
Police Department	\$122,000	Bullet proof vests, 3 cruisers and accessories, and any other related costs
Fire Department	\$117,700	Replacement of radios and SCBA (Self Contained Breathing Apparatus), and any other related costs
Building Department	\$24,000	Replacement vehicle and accessories, and any other related costs
Westford Public Schools	\$308,000	<u>Abbot Elementary School:</u> Replacement of acoustic tile, classroom carpeting with tile, chalkboards, hall door magnetic holdbacks, bathroom floor tile, and bathroom fixtures, and exterior cupola repairs and any other related costs; <u>Blanchard Middle School:</u> Replacement of Media Center door, HVAC upgrade and any other related costs; <u>Day Elementary School:</u> New telephone system, replacement of classroom carpet with tile and any other related costs; <u>Nabnasset Elementary School:</u> Emergency generator, new telephone system and replacement of classroom carpet with tile and any other related costs; <u>Robinson Elementary School:</u> Replacement of bathroom fixtures and of chalkboards and any other related costs; <u>Systemwide:</u> Baseball/Softball Infield Groomer and accessories and any other related costs.
Engineering	\$15,000	Stormwater Phase II second 5 year plan and any other related costs
Highway Department	\$225,000	Highway trucks, accessories, equipment and any other related costs
Library	\$44,100	Painting, roofing, replacement carpeting, replacement heat pumps, and any other related costs
Parks, Recreation	\$17,000	Fencing of the new tennis court area

& Cemeteries		at Veterans' Memorial Complex and any other related costs
Land Management	\$50,000	Miscellaneous capital improvements-East Boston Camps Town-owned land
Historical Commission	\$45,000	Stormwater drainage improvements-Phase I construction at the Museum and Cottage, exterior lighting improvements at the Museum and Cottage, electrical upgrade at the Cottage, and any other related costs
Water Enterprise	\$30,000	Vehicle and accessories and any other related costs
Ambulance Enterprise	\$212,000	Replacement ambulance and accessories, replacement radios, and any other related costs.

Or act in relation thereto.

ARTICLE 12: Proposed Cameron Senior Center Expansion – Architectural & Engineering Funds

Permanent Town Building Committee

To see if the Town will vote to appropriate the sum of \$385,000 (THREE HUNDRED EIGHTY FIVE THOUSAND DOLLARS), by taxation, by transfer from available funds, by borrowing, or any combination thereof, for the design and engineering of renovations and/or an addition to the current Cameron Senior Center and any other related costs; further that such sum is part of the total project cost, including design and construction estimated to be \$4,000,000.00 (FOUR MILLION DOLLARS);

Or act in relation thereto.

ARTICLE 13: Authorization to Re-file Special Legislation regarding Cameron Senior Center and Conservation Land

Board of Selectmen

To see if the Town will vote, pursuant to MGL Chapter 40, S. 15A, to transfer from the Conservation Commission to the Council on Aging, the care, custody and control of, and to change the use thereof for expansion of the Cameron Senior Center, the land currently under the care and custody of the Conservation Commission located southerly of, but not abutting Pleasant St. identified as being a portion of that land being shown as Parcel 91 on Westford Assessors' Map Number 53; and further identified as being that land shown as "Parcel "A"" on a plan of land entitled "Plan of Land in Westford, MA. Prepared for Westford Conservation Commission" dated August 14, 1991 by Richard L. McGlinchey; and

And to see if the Town will vote, in order to meet the intent of Article 97 of the Massachusetts Constitution, to transfer, from the Board of Selectmen to the Conservation Commission, the care and custody and control of land located at the end of Bradford St. identified as that land being shown as Parcel 2 on Westford Assessors' Map Number 52, and further identified as being that land shown as "Lot B" on a plan of land entitled "Plan of Land in Forge Village, Westford, Mass. Belonging to Abbot Worsted Company", dated January 31, 1956 by Frederick Burne and recorded at the Middlesex North District Registry of Deeds at Book of Plans 87, Plan 59A (sometimes referred to as the "Indian Meeting Ground" parcel); and

BOS Chairman _____
(Initial)

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And to see if the Town will vote to transfer, from the Tax Possession Sale Committee to the Conservation Commission, the care and custody and control of land located westerly of Brookside Road identified as being that land shown as Parcels 5 and 50 on Westford Assessors' Map Number 67, and further identified as being a portion of that land being shown as "Lot No. 1" on a plan of land entitled "Plan of Land in Brookside, Westford, Mass." dated February, 1905 by Smith and Brooks, Civil Engineers and Recorded at the Middlesex North District Registry of Deeds at Book of Plans 21, Plan 49A;

All actions to be conditional upon authorization from the Massachusetts Department of Environmental Protection and the Massachusetts Legislature, the General Court; and

To see if the Town will vote to authorize the Board of Selectmen to file special legislation with the General Court authorizing the transfer from the Conservation Commission to the Council on Aging, the care, custody and control of and the change of use thereof from conservation to the expansion of the Cameron Senior Center, the land currently under the care and custody of the Conservation Commission located southerly of but not abutting Pleasant St., identified as being a portion of that land being shown as Parcel 91 on Westford Assessors' Map 53, and further identified as being that land shown as Parcel "A" on a plan of land entitled "Plan of Land in Westford, MA. Prepared for Westford Conservation Commission" dated August 14, 1991 by Richard L. McGlinchey; on condition that the above referenced parcels are transferred to the care, custody and control of the Conservation Commission;

Or act in relation thereto.

ARTICLE 14: Community Preservation Committee Recommendations *Community Preservation Committee*

To see if the Town will vote , pursuant to MGL Chapter 44B, in accordance with the recommendations of the Westford Community Preservation Committee, to appropriate from Community Preservation Funds the sum of \$1,492,142 (ONE MILLION FOUR HUNDRED NINETY TWO THOUSAND ONE HUNDRED FORTY TWO DOLLARS) or some other sum, as follows:

\$ 20,000	From Undesignated Fund Balance	Westford Historical Commission
	For the documentation of historic buildings, objects, and structures within the Town and any other related costs	
	This allocates a portion of the 10% for Historic Resources	
\$ 25,000	From Undesignated Fund Balance	Westford Historical Commission
	For the completion of a Town-wide Archeological Assessment and any other related costs	
	This allocates a portion of the 10% for Historic Resources	
\$ 50,600	From Undesignated Fund Balance	Westford Public Schools
	For the removal and replacement of the existing roof at the Town Farm Building and any other related costs	

BOS Chairman _____
(Initial)

	This allocates a portion of the 10% for Historic Resources	
\$ 60,372	From Undesignated Fund Balance	Records and Archives Management Committee
	For the preservation of historic Town records and the preparation of a Conservation Survey and any other related costs	
	This allocates a portion of the 10% for Historic Resources	
\$960,000	From Undesignated Fund Balance	Parks & Recreation Commission
	For the construction of synthetic fields at the Nutting Road (parcel B of the East Boston Camps purchase) and any other related costs	
	This allocates a portion of the 10% for Historic Resources	
\$200,000	From Undesignated Fund Balance	Westford Affordable Housing Trustees
	To the Affordable Housing Trust Fund for the creation, preservation, support, rehabilitation or restoration of affordable housing and any other related costs	
	This allocates a portion of the 10% for Community Housing	
\$ 50,000	From Undesignated Fund Balance	Conservation Commission
	For transfer to the Conservation Trust Fund for the use in future land purchases and any other related costs	
\$83,000	From Undesignated Fund Balance	Westford Land Preservation Foundation
	For preservation of a historic structure and the creation of affordable housing located at 85 Carlisle Road and any other related costs. Funds shall be allocated no later than Fall 2007 Special Town Meeting	
	This allocates \$50,000 towards the 10% for Historic Resources and \$33,000 towards the 10% for Community Housing.	
\$ 15,000	From Undesignated Fund Balance	Community Preservation Committee
	For administrative expenses for the Community Preservation Committee	
\$571	From Undesignated Fund Balance	Community Housing Reserve
	To the Community Housing Reserve	
	This allocates the balance of the 10% for Community Housing	
\$27,599	From Undesignated Fund Balance	Historic Resources Reserve
	To the Historic Resources Reserve	
	This allocates the balance of the 10% for Historic Resources	

Or act in relation thereto

BOS Chairman _____
(Initial)

ADMINISTRATIVE

ARTICLE 15: East Boston Camps Master Plan

*East Boston Camp
Master Plan Committee*

To see if the Town will vote to accept the East Boston Camps Master Plan as presented by the East Boston Camps Master Plan Committee;

Or act in relation thereto.

ARTICLE 16: Transfer Care and Custody of 18 Williams Avenue parcel to the Conservation Commission

Citizens Petition

To see if the Town will vote to transfer care and custody of the parcel of Town owned land located on Williams Avenue being shown as Parcel 1 on Assessors Map 74 and Parcel 46 on Assessors Map 70 from the Tax Possession Sale Committee to the Conservation Committee;

Or act in relation thereto.

GENERAL BYLAWS

ARTICLE 17: Amendments to Chapter 80: Demolition Delay Bylaw

Historic Commission

To see if the Town will vote to amend Chapter 80: Demolition Delay Bylaw of the Town General Bylaws by:

- a. Increasing the Westford Historical Commission's initial response time to determine whether a structure is historically significant from 30 days to within 45 days of the Commission's next regularly scheduled meeting;
- b. Introducing a fee to be borne by the Applicant for a Demolition Permit to cover the cost of abutter mailings and public hearing notices;
- c. Expanding the scope of applicability of the bylaw to be a categorical "rolling 85 year look back period" rather than the existing categorical "on or before 1921".

The full text of the proposed bylaw, showing the proposed amendments, is set forth as follows:

Chapter 80: Demolition Delay

[Adopted 5-11-98 Adj. ATM Art. 25. Amendments noted where applicable.]

§ 80.1. Intent and purpose.

This bylaw is adopted for the purpose of preserving and protecting significant buildings within the Town which constitute or reflect distinctive features of the architectural, cultural, political, economic, or social history of the Town; to encourage owners of such buildings to seek out persons who might be willing to purchase, preserve, rehabilitate, or restore such buildings rather than demolish

them. To achieve these purposes the Westford Historical Commission (herein after the "Commission") is empowered to advise the Building Commissioner with respect to the issuance of permits for demolition of significant buildings.

§ 80.2. Definitions.

Applicant – Any person or entity who files an application for a demolition permit. If the applicant is not the owner of record of the premises upon which the building is situated, then owner must indicate on or with the application his/her assent to the filing of the application.

Application – An application for the demolition of a building.

Building – Any combination of materials capable of being used as shelter for persons, animals or property.

Commission – The Westford Historical Commission.

Commissioner – The Westford Building Commissioner.

Demolition permit – The permit issued by the Commissioner as required by the state building code for demolition or removal of a building or structure.

Historically significant building or structure - Any building or structure which is:

A. importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic or social history of the Town, the Commonwealth of Massachusetts or the United States of America; or

B. is historically or architecturally important by reason of period, age, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of buildings or structures.

§ 80.3. Regulated buildings and structures.

A. A building or structure listed on, or is within an area listed on, the National Register of Historic Places or the State Register of Historic Places, or the subject of a pending application for listing on either of said Registers; or

B. A building or structure located within 200 feet of the boundary line of any federal, state or local historic district; or

C. A building or structure included in the Inventory of the Historic Assets of the Commonwealth, or designated by the Commission for inclusion in said inventory including those buildings listed for which complete surveys may be pending; or

D. A building or structure determined by vote of the Commission to be historically or architecturally significant in terms of period, style, and method of building construction based on the following criteria:

- a. Properties listed on the State Register of Historic Places and the Inventory of Historic Assets of the Commonwealth for the Town of Westford.
- b. Properties in existence in or before a rolling 85 year timeframe based upon the calendar year in which the demolition permit application was filed with the Building Commissioner.
- c. Properties that appear on the 1855 Symmes Maps.
- d. No demolition permit shall be issued for a regulated building or structure without full compliance with the provisions of this bylaw.

§ 80.4. Procedure.

A. The Commissioner shall forward a copy of each demolition permit application for all regulated buildings or structures identified in section 80.3 of this bylaw to the Commission within 7 days after the filing of such application. No demolition permit shall be issued at that time.

B. Following the receipt of such application, the Commission shall determine within 45 days after the Commission's next regularly scheduled meeting whether the building or structure is historically significant. The date of a regularly scheduled Commission meeting shall be defined as the third Wednesday of the month. The applicant for the permit shall be entitled to make a presentation to the Commission if he/she makes a timely request (at least 7 days prior to the scheduled meeting date) in writing to the Commission.

C. If the Commission determines that the building or structure is not historically significant, it shall so notify the Commissioner and the applicant in writing and the Commissioner may issue a demolition permit.

D. If the Commission determines that the building or structure is historically significant, it shall notify the Commissioner and the applicant in writing that a demolition plan review must be made prior to the issuance of a demolition permit. If the Commission fails to notify the Commissioner and the applicant of its determination within 60 days after its receipt of the application, then the building or structure shall be deemed not historically significant and the Commissioner may issue a demolition permit.

E. Within 30 days after the applicant is notified that the Commission has determined that a building or structure is historically significant, the applicant for the permit shall submit to the Commission 7 copies of a demolition plan which shall include the following information:

- a. a map showing the location of the building or structure to be demolished with reference to lot lines and to neighboring buildings and structures
- b. photographs of all street facade elevations
- c. a description of the building or structure to be demolished

d. the reason for the proposed demolition and data supporting said reason, including, where applicable, data sufficient to establish any economic justification for demolition, and

e. a brief description of the proposed reuse of the parcel on which the building or structure to be demolished is located.

F. The Commission shall hold a public hearing within 30 days of receipt of the demolition plan referenced in section 80.4.D, with respect to the application for a demolition permit, and shall give public notice of the time, place, and purposes thereof at least 14 days before said hearing in such manner as it may determine, and by mailing, postage prepaid, a copy of said notice to the applicant, to the owners of all adjoining property and other property deemed by the Commission to be materially affected thereby as they appear on the most recent real estate tax list of the Board of Assessors, to the Planning Board, to any person filing written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the Commission shall deem entitled to notice. The costs associated with the preparation of abutters list and notifications as well as publication in a local newspaper will be borne by the Demolition Permit Applicant. Within 60 days after its receipt of the demolition plan, the Commission shall file a written report with the Commissioner on the demolition plan which shall include the following:

a. a description of age, architectural style, historic association and importance of the building or structure to be demolished

b. a determination as to whether or not the building or structure should preferably be preserved.

G. The Commission shall determine that a building or structure should preferably be preserved only if it finds that the building or structure is an historically significant building or structure which, because of the important contribution made by such building or structure to the Town's historical and/or architectural resources, it is in the public interest to preserve, rehabilitate or restore.

H. If, following the demolition plan review, the Commission does not determine that the building or structure should preferably be preserved, or if the Commission fails to file a report with the Commissioner within the time limit set out in section 80.4 above, then the Commissioner may issue a demolition permit.

I. If, following the demolition plan review, the Commission determines that the building or structure should preferably be preserved, then the Commissioner shall not issue a demolition permit for a period of 6 months from the date of the filing of the Commission's report unless the Commission informs the Commissioner prior to the expiration of such 6-month period that it is satisfied that the applicant for the demolition permit has made a bona fide, reasonable and unsuccessful effort to locate a purchaser for the building or structure who is willing to preserve, rehabilitate or restore the building or structure, or has agreed to accept a demolition permit on specific conditions approved by the Commission.

During the 6-month review period, the Commission shall invite the applicant to participate in an investigation of alternatives to demolition.

§ 80.5. Determination of applicability.

An owner of a regulated building or structure may petition the Commission for a determination of applicability of the bylaw. Within 60 days after the receipt of such application, the Commission shall determine whether the building or structure is historically significant. The applicant for the permit shall be entitled to make a presentation to the Commission if he/she makes a timely request in writing to the Commission. The determination by the Commission of whether a regulated building or structure is historically significant shall be made in writing signed by the Commission and shall be binding on the Commission for a period of 5 years from the date thereof.

§ 80.6. Emergency demolition.

If the condition of a building or structure poses a serious and imminent threat to public health or safety due to its deteriorated condition, the owner of such building or structure may request the issuance of an emergency demolition permit from the Commissioner. If possible and as soon as practical after the receipt of such a request, the Commissioner shall arrange to have the property inspected by a board consisting of himself/herself, the Chairman of the Commission, the Chairman of the Board of Health, and the Chief of the Fire Department, or their respective designees. After inspection of the building or structure and, to the extent possible, consultation with this Board, the Commissioner shall determine whether the condition of the building or structure represents a serious and imminent threat to public health or safety and whether there is any reasonable alternative to immediate demolition of the building or structure which would protect the public health or safety. If the Commissioner finds that the condition of the building or structure poses a serious and imminent threat to public health or safety, and that there is no reasonable alternative to the immediate demolition permit under the provisions of this section 80.6 they shall prepare a written report describing the condition of the building or structure and the basis for his/her decision to issue an emergency demolition permit with the Commission. Nothing in this section 80.6 shall be inconsistent with the procedures for the demolition and/or securing of building and structures established by chapter 143, section 6-10 of the Massachusetts General Laws. In the event that a Board of Survey is convened under the provisions of section 8 of said chapter 143 with regard to any building or structure identified in section 80.3 of this bylaw, the Commissioner shall request the Chairman of the Commission or his/her designee to accompany that Board of Survey during its inspection. A copy of the written report prepared as a result of such inspection shall be filed with the Commission.

§ 80.7. Administration.

The Commission may adopt such rules and regulations as are necessary to administer the terms of this bylaw. The Commission is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this bylaw. Administrative and advertising fees shall be borne

by the petitioner/applicant. The Commission may delegate authority to a municipal employee to assist in the collection of administrative and advertising fees from the Applicant.

The Commission may review and revise its regulations and fee schedules from time to time, following an advertised public hearing. Any amendments to these regulations shall take effect upon filing a copy of the amendments with the Westford Town Clerk's Office.

§ 80.8. Non-compliance.

A. The Commission and the Building Commissioner are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance with the requirements of this bylaw, or to prevent a violation thereof.

B. No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this bylaw for a period of 22 months after the date of the completion of such demolition. As used herein "premises" includes the parcel of land upon which the demolished significant building was located.

C. Upon a determination by the Commission that a building is a preferably-preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the Building Commissioner. Should the owner fail to secure the building, the loss of such building through fire or other cause shall be considered voluntary demolition for the purposes of section 80.6.

D. Anyone who demolished a building or structure identified in section 80.3 of this bylaw without first obtaining and complying fully with the provisions of a demolition permit, shall be subject to a fine of not less than \$100 not more than \$300.

§ 80.9. Severability.

If any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court authority, every other section, paragraph and part shall continue in full force and effect.

Or act in relation thereto.

ARTICLE 18: Amendment to Chapter 84: Dogs relative to dogs at the East Boston Camps property

Citizens Petition

To see if the Town will vote to amend Chapter 84 of the bylaws of the Town relative to Dogs to add to section 84.3 A Prohibited activity and exceptions: "No owner or keeper of any dog shall permit a dog, whether licensed or unlicensed, to

run at large at any time. The provisions of this section shall not be intended to apply to dogs participating in any dog show, not to "seeing eye" dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place, nor to any dogs being trained for or actually being used for hunting purposes," by adding the words "nor to any dogs at East Boston Camps who obey voice commands of owner.";

Or to act in relation thereto.

ARTICLE 19: Amendment to Chapter 51.1.B: *Citizens Petition*
Town Meeting to change Annual
Town Meeting to a weeknight

To see if the Town will vote to change the day of the annual town business meeting from Saturday to a weeknight by amending the portion of Chapter 51.1B of the Bylaws titled Date and time of Annual Town Business Meetings, which currently reads:

" . . .shall be considered at 10:00 a.m. on the Saturday following the Annual Town Election."

To read:

"...shall be considered at 7:00 p.m. on the Tuesday following the Annual Town Election, continuing each Tuesday and Thursday evening until complete. Each adjourned session shall begin at 7:00 p.m. with no new business begun after 10:30 p.m. unless a majority of the voters in attendance so choose";

Or act in relation thereto.

ARTICLE 20: Amendment to Chapter 171: *Conservation*
Wetlands Bylaw to permit setting of *Commission*
fees by Conservation Commission
regulations

To see if the Town will vote to amend Section 171-5 Fees of the non-zoning wetland bylaw (Chapter 171, Code of the Town of Westford) by deleting it in its entirety as it currently reads, and replacing it with the following:

Section 171-5 Fees

At the time of an application, the applicant shall pay a filing fee specified in regulations of the Commission. The fee is in addition to that required by the Wetland Protection Act and Regulations.

Or act in relation thereto.

ZONING BYLAWS

ARTICLE 21: Extension of Section 6.3: Growth *Planning Board*
Management Bylaw for an
Additional Year

BOS Chairman _____
(Initial)

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To see if the Town will vote to amend Section 6.3 of the Westford Zoning Bylaw to extend the Growth Management Bylaw for an additional year to allow for the completion of the Comprehensive Master Plan update: and, further, that the portion of Section 6.3.2.2, which reads as follows:

The provisions of this section shall expire on May 11, 2007; . . .

be amended to read as follows:

The provisions of this section shall expire on May 11, 2008; . . .

Or act in relation thereto.

ARTICLE 22: Amendment to Section 6.2: Siting of Wireless Communications Facilities to include additional application requirements and to Section 10.0 regarding related definitions *Zoning Board of Appeals*

To see if the Town will vote to amend Section 6.2 of the Westford Zoning Bylaw, entitled "Siting of Wireless Communications Facilities (WCF)" to include additional considerations that applicants would be required to address when proposing a WCF with tower:

6.2 SITING OF WIRELESS COMMUNICATIONS FACILITIES (WCF)

6.2.1 Purpose. The purposes of this section are:

1. To preserve the health, safety and general welfare of the community.
2. To guide sound development.
3. To preserve the value of lands and buildings. Sites shall be located to minimize any adverse affect on residential property values.
2. To encourage the most appropriate use of the land.
5. To minimize the adverse aesthetic impact of wireless communication facilities (WCF). WCFs shall result in a minimal visual impact for those residents in the immediate area and for those in the larger community who view these WCFs from a distance. WCFs shall be located to avoid a dominant silhouette. Siting of WCFS shall also consider the preservation of major view corridors of surrounding areas and major roadways. Less obtrusive facilities are preferred, as are those in commercial and industrial zones.
6. To encourage co-location by wireless communication companies on WCFs when the result is a lesser overall visual impact.
7. To ensure that WCFs are sited, designed and screened in a manner that is sensitive to the surrounding neighborhood.

8. To avoid damage to adjacent properties.
9. To permit WCFs within the permitted zones, as set forth herein, in the following order of preference:
 - a. On pre-existing structures as defined below;
 - b. In the median strip of a divided highway; and
 - c. In locations where the existing topography, vegetation, buildings, and other structures provide the greatest amount of screening for a new WCF.

6.2.2 Eligible Districts. No WCF shall be erected or installed except in compliance with the provisions of this Section 6.2, which shall apply to a WCF whether as principle use or an accessory use to any and all extensions, alterations or additions to, replacements or expansion of an existing WCF.

1. *WCF with Tower.* WCFs which include a Tower, and Communication Devices, shall be permitted within 500 feet of a divided highway within the Commercial Highway (CH), Industrial Highway (IH), and the Industrial C (IC) Districts by special permit. Said special permit shall authorize the specific wireless service by the applicant at the tower height specified in the application or approval document.
2. *WCF without Tower.* WCFs which do not include a tower, shall be permitted in any district on all preexisting facilities and structures in compliance with the provisions herein and upon the grant of a special permit. Said special permit may only be issued if it is determined that the proposed structure preserves the character of the preexisting structure or facility.

6.2.3 Location Priorities. Locations proposed for wireless communication facilities shall be according to the priorities specified below in the *Prioritized list of locations*. Applicants shall demonstrate that they have thoroughly investigated all locations ranked higher in priority than the one they are proposing, and have selected the highest priority location possible.

A WCF shall not be located within 900 feet of an existing dwelling, school, day-care center, nursing home, or an assisted or independent living facility unless it is conclusively demonstrated that no other site is available.

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Prioritized list of locations

1. Use Existing Wireless Communication Facilities.
 - a. On the applicant's existing wireless communication facilities in the area enhanced or upgraded using the latest methods and technology to provide increased coverage, including, but not limited to the following:
 1. Optimize network parameters such as transmitter power, antenna patterns, pointing direction, beam width and tilt.
 2. Use state of the art equipment as appropriate, such as tower-mounted amplifiers, low-loss feeders, interference-canceling receivers, high-gain antennae and smart antennae.
 3. Evaluate the impact of adding antenna height to fill significant gaps.

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- b. Co-located on existing wireless communication facilities of other providers, including facilities in abutting towns.

2. Use Existing Structures.

- a. On an existing utility structure, such as an electric transmission tower or water tower, in either case camouflaged through location, design, color, or other means to resemble a compatible architectural feature or other element of the primary structure.
- b. Concealed within an existing non-residential structure so as to not be visible from outside the structure and without damage to historic features of the structure or its content.
- c. Within an existing non-residential structure and camouflaged without damage to historic features of the structure or its content.
- d. Camouflaged on an existing non-residential structure without damage to historic features of the structure or its content.
- e. On utility or streetlight poles using minimally-invasive technologies such as Distributed Antenna Systems (DAS), or elsewhere using in-home routers or other alternatives that may become available after the adoption of this Bylaw.

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3. Construct a New Wireless Communication Facility.

- a. Within 500 feet of a divided highway within the Commercial Highway (CH), Industrial Highway (IH) and the Industrial C (IC) districts for WCFs with towers, as described in §6.2.6 below.
- b. On Town-owned land that complies with other requirements of this Section and where visual impact can be minimized and mitigated.
- c. On other sites so located that the following are satisfied for an area with a radius of four (4) times the height of the tower and centered on the base of the tower.
 - 1. No portion of a historic district established under Chapter 41-C, M.G.L. or a district on or eligible to be on the National or State Register of Historic Places lies within that area, and
 - 2. No portion of a Town-designated scenic road passes through that area and the tower is not visible from the scenic road.
- d. If adequately demonstrated that each of the above location types is not feasible, as supported by independent peer review, erection of a new facility that complies with the other requirements of this Section and where visual impact can be minimized and mitigated will be considered.

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6.2.4 Application Process. The application process is broken down into two distinct phases: the preliminary application phase and the application phase. The preliminary application phase is designed to allow the applicant and the Town to begin coordination on the proposed site. The application phase is designed to provide the Town with sufficient written documentation to facilitate a comprehensive review of the application. In this way, the Planning Board will be equipped to make an informed decision based on substantial written evidence as required by the Telecommunications Act of 1996.

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6.2.5 Application Requirements; General. In consultation with the Planning Staff and at least 30 days prior to the submission of an application, the applicant is encouraged to submit preliminary project information to the Planning Board for a review and discussion.

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1. *Crane.* The applicant shall arrange to locate a crane at the site in a manner that replicates the exact height and location of the proposed tower. The crane shall be marked at a height that is 15 feet below the height of the proposed WCF. The date and location of the crane siting shall be advertised at least fourteen (14) days, but not more than twenty-one (21) days, before the siting in a newspaper of general circulation in the Town. The date shall be coordinated with the Planning Board to ensure the availability of the Board to view the simulated tower. The crane shall remain in place for a period of at least 48 hours.

2. *Photographs.* The applicant shall work with the Town to develop a detailed list of streets in the surrounding area from which the proposed facility could be visible. The applicant shall then drive on each of the designated streets to determine if the facility is visible. In winter months the applicant shall assess the visibility of the proposed facility as if it were summer with trees in full bloom. The applicant shall note where any portion of the proposed WCF will be visible. The applicant shall be required to take photographs along eight lines in a one and three mile radius of the site, beginning at True North and continuing clockwise at forty-five degree intervals and from any historic, scenic, or other prominent areas of Town as determined by the Planning Board. This data shall be formatted and submitted as detailed by the formal application requirements set forth below.

3. *Notification.* The applicant shall notify competing wireless service providers by certified letter of its interest in a particular site. This letter shall offer space on the proposed facility to support the requirements of the competing providers. The applicant shall work with other interested providers and the Town to facilitate co-location where appropriate.

6.2.6 Application Requirements; New Tower. The applicant shall submit 5 copies of the following information in a format consistent with the paragraph numbering below. The applicant shall clearly address each of the requirements listed below. Failure to follow the paragraph numbering format or failure to clearly address the requirements of an individual paragraph shall be grounds for immediate dismissal of the application.

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1. Written authorization from the property owner of the proposed site.
2. Proof that competing wireless providers have been notified of the applicant's interest in developing the proposed facility.
3. *Antenna Capacity/Wind Load.* A report from a registered Massachusetts structural engineer showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA 222 (latest revision) standards.
4. *Antenna Owners.* Identification of the owners of all antenna and equipment to be located at the sites as of the date of application.
5. Copy of valid FCC license for the proposed activity.

6. *Visual Impact Analysis*. The applicant shall submit a map of the Town of Westford which has been annotated with the data collected during the preapplication process. The prearranged roadways shall be highlighted in one color, the points where the tower was visible at all shall be highlighted in a separate color, and the points where more than 15 feet of the tower was visible shall be highlighted in a third color. The applicant shall designate on the map the location where photographs were taken. Each photograph shall be submitted with the application and shall be clearly labeled to facilitate an assessment of the location of the photograph.

7. Information describing the tower's capacity, including the number and type of antennae that it can accommodate.

8. *Need for Location*. The applicant must show that the proposed antenna and equipment could not be placed on a pre-existing facility or structure.

9. A map showing the broadcast footprints created by the varying carrier heights at 50, 75, and 100 feet; and in increments of 10 feet for proposals in excess of 100 feet. The map should indicate the different signal strengths as well as how the proposed WCF interfaces with adjacent service areas.

10. A narrative report written by the applicant and professional engineer which shall:

- a. Describe the projected future needs of the applicant and how the proposed wireless communications facility fits with the future projections to serve the Town and adjacent Towns.
- b. Describe special design features to minimize the visual impact of the proposed wireless communications facility.
- c. Demonstrate proof of need. The applicant shall describe:
 1. How the design minimizes and/or mitigates visual and economic impacts.
 2. Why the proposed WCF cannot be accommodated by other pre-existing structures, including a list structures reviewed/assessed.
 3. How the proposed WCF is designed to its minimum possible height.

11. A draft lease document shall be provided.

12. Proof that abutters have been notified.

13. Site plan and engineering drawings, prepared by a professional engineer, indicating the following:

- a. North arrow, date, scale, seal(s) of the licensed professionals who prepared the plans and a space for the reviewing licensed engineer's seal;
- b. Plans for supporting and attaching the device including specifications of hardware and all other building material;
- c. Building plans for accessory buildings, if any; and

- d. Layout and details of surfacing for access road parking, if they are to be altered from the existing condition.
- 14. A map showing the areas covered by the proposed wireless communication device.
- 15. A narrative report written by the applicant and licensed professional engineer which shall:
 - a. Include a draft of the contract between the structure/building owner (whichever appropriate) and the applicant;
 - b. Demonstrate that the wireless communication structure or nonresidential structure to which the device will be mounted has the structural integrity to support such a device;
 - c. Describe actions to be taken if electromagnetic radiation from the facility should exceed levels designated by the FCC; and
 - d. Describe the projected future needs of the carrier, and how the proposed facility fits with future projections.
- 16. Proof of approval of all other necessary permits needed for construction and operation.

6.2.7 Application Requirements; Pre-existing Facilities. To site a wireless communication device on pre-existing facilities or structures including co-location with another carrier, provided that the new use does not add to the height of the structure, the applicant shall submit:

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- 1. Site plans and engineering plans, prepared by a professional engineer licensed to practice in Massachusetts, on 24 by 36-inch sheets at a scale of 1 inch equals 40 feet or 1 inch equals 20 feet on as many sheets as necessary which shows the following:
 - a. North arrow, date, scale, seal(s) of the licensed professionals who prepared the plans and a space for the reviewing licensed engineer's seal;
 - b. Plans for supporting and attaching the device including specifications of hardware and all other building material;
 - c. Building plans for accessory buildings, if any; and
 - d. Layout and details of surfacing for access road parking, if they are to be altered from the existing condition.
- 2. A map showing the areas covered by proposed wireless communication structure and proposed device(s) of different signal strengths, and the interface with adjacent service areas;
- 3. A narrative report written by the carrier and licensed professional engineer which shall:
 - a. Include a draft of the contract between the structure/building owner (whichever appropriate) and the applicant;

- b. Demonstrate that the WCF or non-residential structure to which the device will be mounted has the structure integrity to support such device;
- c. Describe actions to be taken if electromagnetic radiation from the facility should exceed levels designated by the FCC; and
- d. Describe the projected future needs of the carrier, and how the proposed facility fits with future projections.

4. Proof of approval of all other necessary permits needed for construction and operation; and

5. Expected RF emission levels shall be calculated of the nearest habitable structure near the proposed tower, adjacent residentially zoned property, locations with the highest theoretical RF level, and other locations deemed necessary by the Town after consideration of the topography and the antennae pattern.

6.2.8 Review Standards. In addition to the standards in Section 9.3.2, the Planning Board shall also review the special permit application in conformance with the following objectives:

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- 1. When considering an application for a WCF, the Planning Board may determine the need for expert review of the applicant's technical data by a third party, and reserves the right to perform random measurements, not to exceed an annual event, of RF field strengths to assure compliance with federal requirements. The Planning Board, at their sole discretion, may require such third party review and random testing to be paid by the applicant. The Planning Board reserves the right to make random measurements at the applicant's expense.
- 2. New WCFs which include a tower shall be considered only after finding that existing or previously approved towers cannot accommodate the proposed users.
- 3. The proposed WCF shall preserve the character of the pre-existing structure or facility. The Planning Board shall consider whether the applicant has made a reasonable effort to minimize the visual impact of the proposed facility and whether the proposed WCF is located in areas that result in minimal visual impact.
- 4. The Planning Board shall consider whether the visual impact of WCFs are compatible with the aesthetic character of the surrounding area.
- 5. Compliance of the proposed WCF with the requirements of the Bylaw.
- 6. Sites shall be reviewed on a case by case basis to determine the extent of shared use that could be accommodated with the minimal amount of visual impact.
- 7. The applicant shall submit a complete application as defined by this Bylaw.
- 8. The site location and design shall preserve the existing character of the surrounding area as much as possible. Existing vegetation should be preserved or improved and disturbance of the existing topography should be minimized unless such disturbance results in a lesser visual impact.

9. The Planning Board shall act on a special permit request for the placement of a WCF in accordance with G.L. c. 40A, s.9 and any denial shall be in writing and supported by substantial evidence contained in the record as required by the Telecommunications Act of 1996.

10. The Planning Board shall consider whether the proposed WCF has an adverse affect on residential property values.

6.2.9 Special Permit and Site Plan Development Requirements.

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1. Tower heights shall not exceed one hundred (100) feet, measured from the base of the tower to the highest point of the tower unless the applicant can demonstrate that:

- a. The proposal will promote co-location; or
- b. The proposed height will reduce the overall number of additional towers required within the general area; or
- c. The proposal will result in an overall lesser visual impact.

2. There shall be no signs, except for announcement signs, no trespassing signs and a required sign giving a phone number where the owner can be reached on a twenty-four (24) hour basis. All signs shall conform with the sign requirements of this Bylaw.

3. Visual impacts of towers and communication devices must be minimized by the use of appropriate paint color.

4. Night lighting of towers shall be prohibited unless required by the Federal Aviation Administration.

5. The siting of Towers shall be such that the view of the tower from other areas of Town shall be minimal as possible and shall be screened from abutters and residential neighbors as feasible. If it is demonstrated to the satisfaction of the Planning Board that the siting of the proposed facilities on an existing tower or within an existing structure is not feasible, then the towers and facilities may be located in Commercial Highway (CH), Industrial Highway (IH), or Industrial C (IC) land within five hundred (500) feet of a divided highway.

6. All towers and associated structures shall be designed to accommodate multiple users through the use of a segmented design (e.g. portions of the structure which can be routinely removed and replaced).

7. Every tower, and its supporting structures, must be set back from the property line of the lot on which it is located in an amount at least equal to the height, including the base, of the tower.

8. The height of communications devices located on a building or structure shall not exceed fifteen (15) feet in height above the highest point of the building or structure, except if incorporated into existing features of a structure (e.g. steeples, smoke stacks, etc.) in such a way as to be visually undetectable. Whip antennae on a preexisting service facility may extend a maximum of fifteen (15) feet above the highest portion of the structure to which they are attached; panel antennae may extend a maximum of six (6) feet above the highest portion of the structure to which they are attached.

9. Communications devices shall be situated on or attached to a building or structure in such a manner that they are screened, shall be painted or otherwise colored to minimize their visibility, and shall be integrated into such structures or buildings in a manner that blends with the structure or building. Freestanding antennae or dishes shall be located on the landscape, screened and painted in a manner so as to minimize visibility from abutting streets and residents. To the extent feasible, all network interconnections shall be installed underground.

10. Fencing shall be provided to control access to the base of all WCFs which include towers. Such fencing shall be compatible with the scenic character of the Town and shall not be barbed wire or razor wire.

11. All WCF towers must comply with all applicable federal, state and local statutes, rules and regulations; annual certification of compliance must be provided.

12. The base of all towers shall be no closer than three hundred (300) feet to a residential zoning district boundary and/or dwelling.

13. Accessory buildings and or storage sheds shall be modular in design and not exceed one (1) story in height (14 feet); no more than three hundred (300) square feet in floor area shall be available for each user, up to a maximum of six hundred (600) square feet; any buildings or storage sheds added to a site must be attached to and abut the original building or storage shed and must be compatible in appearance.

14. The maximum amount of vegetation shall be preserved.

15. Removal of abandoned towers and facilities. Any tower communication device, or facility, that is not commercially operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such tower, communication device, or facility shall remove same within ninety (90) days of receipt of notice from the Town notifying the owner of such abandonment. If such tower or facility is not removed within said ninety (90) days, the Town may cause such tower or facility to be removed at the owner's expense. If there are two or more users of a single tower, the height shall be reduced to that required by the remaining user(s). If the permit holder for the tower ceases operation, the remaining users shall apply for a new special permit.

6.2.10 Special Permit and Site Plan Conditions. The following conditions shall apply to all grants of special permits and/or site plan approvals pursuant to this Section 6.2:

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1. The applicant shall submit a report detailing the following information to the Town on an annual basis. The first report shall be due within thirty (30) days after startup of the facility.

- a. A list of all users of a given WCF, the service each is providing, and the heights of their antennae if mounted on a freestanding structure.
- b. For each users of a given WCF, annual certification of compliance with Federal Communications Commission, Federal Aviation Administration, and federal, state, and local laws, rules and regulations must be provided.

c. For each user of a WCF, actual RF levels shall be measured at the heights specified in Section 6.2.6.9. If RF levels exceed the FCC regulated values, the transmitter

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power shall be lowered to a value that results in compliance with FCC standards. The actual transmitter power shall be documented and the provider shall certify that the power level will not be increased beyond the documented value. The applicant shall retain the right to operate at lower power levels at their discretion. Failure to comply with this regulation shall result in a Planning Board review of the site's continued compliance with the terms of the approved special permit.

- d. If additional space is available for other wireless service providers, the applicant shall notify all competing service providers by certified letter of the availability of the facility. Copies of all letters sent and certified mail receipts shall be submitted to the Town annually.
 - e. Expected RF emissions levels shall be calculated for the nearest habitable structure near the proposed tower, adjacent to residentially zoned property, locations with the highest theoretical RF levels, and other locations deemed necessary by the Town after consideration of the topography and the antenna pattern.
2. If a tower is on Town property, a Certificate of Insurance for liability coverage in the amount of \$1,000,000.00 dollars must be provided.
3. If the tower is on Town property, an agreement must be provided whereby the user indemnifies and holds the Town harmless against any claims for injury or damage resulting from or arising out of the use of or occupancy of the Town owned property.
4. For towers on Town land, the execution of an agreement with the Town whereby the user shall, at its own expense, and within thirty (30) days upon termination of the lease or thirty (30) days of non-use of the tower, restore the premises to the condition it was in at the onset of the lease and shall remove any and all WCFs thereon.
5. If a tower is on Town property, a maintenance bond shall also be posted for the access road, site and tower(s) in an amount approved by the Planning Board.
6. If a tower is on Town property, an initial cash bond in a reasonable amount determined and approved by the Planning Board shall be in force to cover the removal of the WCF and restoration of the site to the condition that the premises were in at the onset of the lease, when use of said WCF becomes discontinued or obsolete. The amount is to be payable to the Town in the event that the user breaches the agreement in Section 6.2.9.5 above.
7. For a tower, execution of an agreement whereby the applicant will allow other carriers to lease space on the tower so long as such use does not interfere with the applicant's use of the tower.

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6.2.11 Site Plan Approval. Site plan approval by the Planning Board is required for the siting and construction of all wireless telecommunication towers, antennae, and facilities. If modification of a special permit is sought, the Planning Board shall require approval of a new site plan.

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No site plan application shall be deemed to have been submitted until said application fully complies with the content requirements specified in this subsection.

1. A site plan submitted to the Planning Board for approval shall contain twelve (12) copies of a plan conforming to the requirements of Section 9.4 of this Bylaw and, in addition, the following documentation:
 - a. Tower, antennae and facility location (including guy wires, if any) and tower and antennae specifications, including height, description of design characteristics and material, accessory buildings, access road and parking areas, lighting, fencing, and scaled elevations of all proposed structures.
 - b. Site specifications including property lines, a landscaping plan (existing and proposed), and drainage plans and specifications.
 - c. The locus map at a scale of 1:1000 which shall show all streets, bodies of water, landscaped features, historic sites, habitats for endangered species within two hundred (200) feet and all buildings and dwellings within five hundred (500) feet.
 - d. A narrative report written by the applicant and licensed professional engineer describing the proposal and how it complies with the specifications of this Bylaw and demonstrating that the wireless communication structure or non-residential structure to which the device will be mounted has the structural integrity to support such device.
 - e. A copy of the requests made by the applicant to the Federal Aviation Administration (FAA), Federal Communication Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health to provide a written statement that the proposed tower complies with applicable regulations administered by the agency or that the tower is exempt from those regulations and a copy of the response form each agency. If such response is not received within sixty (60) days, the application will be considered incomplete with respect to the requirements of this subsection. The applicant shall submit any subsequently received agency statements to the Planning Board.

6.2.12 Time Limit. All special permits issued under this Section 6.2 shall expire after five (5) years from the grant thereof, and shall require a resubmittal for review by the Planning Board.

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and to amend Section 10, entitled "Definitions", by adding the following language:

Section 10. DEFINITIONS

Wireless Communications Facility (WCF) definitions. The following definitions apply to Wireless Communication Facilities.

Co-location: The use of a wireless communications facility by more than one (1) wireless telecommunications provider.

Distributed Antenna System (DAS): A geographically diversified wireless communications system with a Base Station Facility at one location, and a series of antennae placed on utility poles, buildings or other locations. The antennae are driven by equipment in *Radio Access Nodes* (RANs) and are interconnected to the Base Station Facility by cables, usually fiber optic.

Facade-Mount Antennae: One or more antennae or panels mounted on the facade of an existing building or structure, including accessory equipment and cables, if any, which facilitate wireless telecommunications services.

Feeder: A cable connecting a transmitter to an antenna.

High Gain Antenna: An antenna that amplifies very weak signals.

In-home routers: Small low-powered devices, similar to broadband DSL or cable routers, which provide seamless coverage inside buildings.

Lattice Tower: A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation to the top.

Monopole: A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

Pre-existing Facilities and Structures: Includes buildings, rooftops, flag poles, light posts, church steeples, water towers, electrical transmission towers, telephone poles, or any other pre-existing structure capable of supporting a WCF. Pre-existing facilities and structures explicitly exclude residential structures and/or properties with a principle residential use.

Smart Antenna: An antenna system that uses intelligent signal processing between the transmitter and antennae to control the direction of the radio signal.

Telecommunication: Technology which enables the transmission of voice, video, or data signals by means of electrical or electromagnetic systems.

Tower: Any antennae mounting structure that measures 12 feet or more vertically, used by a commercial carrier to provide telecommunication services. The term "Tower" includes, but is not limited to, monopole and lattice towers.

Wireless Communications Facility (WCF): Any and all materials, equipment, structures, towers, dishes, antennas and storage, used by a commercial carrier to provide telecommunications services to customers. This definition does not include facilities used by a federally licensed amateur radio operator.

Or act in relation thereto.

And you are directed to serve this warrant by posting a true and attested copy thereof at the Town Hall, Library and at each Post Office in said Town of Westford at least fourteen (14) days prior to the time of holding said meeting.

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THEREOF FAIL NOT and make return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of holding the meeting aforesaid.

Given under our hands this _____ day of _____ in the Year of our Lord 2007.

Christopher A. Romeo (Chair)

Robert Jefferies (Vice-Chair)

Valerie Wormell (Clerk)

Geraldine Healy-Coffin

Jim Sullivan

**A TRUE COPY
ATTEST:**

Constable of Westford

DATE:

I HEREBY CERTIFY THAT I HAVE SERVED THE FOREGOING WARRANT BY POSTING A TRUE AND ATTESTED COPY THEREOF AT THE TOWN HALL, LIBRARY AND AT EACH POST OFFICE IN THE SAID TOWN OF WESTFORD AT LEAST FOURTEEN DAYS PRIOR TO THE TIME OF HOLDING SAID MEETING.

BOS Chairman _____
(Initial)